UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CEMENT MASONS' LOCAL 780 PENSION FUND, BY ITS BOARD OF TRUSTEES MICHAEL RENDINA, PASQUALINO D'ANGELO, EDDIE BARBARIA, MICHAEL SALGO, JOSEPH MITRIONE AND KEVIN O'BRIEN, ANNUITY AND WELFARE FUNDS OF THE NORTHEAST DISTRICT COUNCIL OF THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL ASSOCIATION, BY THEIR BOARD OF TRUSTEES DALE ALLEYNE, MICHAEL RENDINA, EDDIE BARBARIA, DAVID GENTILLE, PASQUALINO D'ANGELO, MICHAEL PATTI, MICHAEL SALGO, KEVIN O'BRIEN, JOSEPH MITRIONE and DAVID RAMPONE, APPRENTICESHIP FUND OF THE NORTHEAST DISTRICT COUNCIL OF THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL ASSOCIATION BY ITS BOARD OF TRUSTEES DALE ALLEYNE, MICHAEL RENDINA, EDDIE BARBARIA, DAVID GENTILLE, MICHAEL PATTI, MICHAEL SALGO, KEVIN O'BRIEN and JOSEPH MITRIONE, LABOR MANAGEMENT COOPERATION FUND OF THE NORTHEAST DISTRICT COUNCIL OF THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL ASSOCIATION BY ITS BOARD OF TRUSTEES DALE ALLEYNE, EDDIE BARBARIA, MICHAEL RENDINA, PASQUALINO D'ANGELO, MICHAEL PATTI, MICHAEL SALGO, KEVIN O'BRIEN and JOSEPH MITRIONE, and LOCAL 780 OF THE OPERATIVE PLASTERERS' AND CEMENT MASONS' INTERNATIONAL ASSOCIATION OF THE UNITED STATES AND CANADA, ALF-CIO by its BUSINESS MANAGER/FIANCIAL SECRETARY MICHAEL RENDINA,

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/17/2025

Plaintiffs,

-against-

QUEST CONCRETE CORP.,

Defendant.

ANALISA TORRES, District Judge:

25 Civ. 2098 (AT) (SN)

**ORDER** 

To conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, it is hereby ORDERED that the parties discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the assigned Magistrate Judge.

If all parties consent to proceed before the Magistrate Judge, counsel for Defendant shall, by May 16, 2025, file a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, available at <a href="https://nysd.uscourts.gov/node/754">https://nysd.uscourts.gov/node/754</a> and attached to this order, on the docket. If the Court approves that form, all further proceedings will then be conducted before the assigned Magistrate Judge rather than before me. An information sheet on proceedings before magistrate judges is also attached to this order. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be if the consent form were not signed and so ordered.

If any party does not consent to conducting all further proceedings before the assigned Magistrate Judge, the parties must file a joint letter, by May 16, 2025, advising the Court that the parties do not consent, but without disclosing the identity of the party or parties who do not consent. The parties are free to withhold consent without negative consequences.

SO ORDERED.

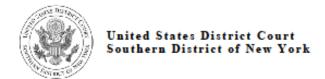
Dated: March 17, 2025

New York, New York

ANALISA TORRES United States District Judge

United S	STATES DISTRICT COURT  for the District of	
Plaintiff V. Defendant	) ) Civil Action No.	
Notice of a magistrate judge's availabil proceedings in this civil action (including a jury	RENCE OF A CIVIL ACTION TO A MAGIS  ity. A United States magistrate judge of this cou- or nonjury trial) and to order the entry of a final ju- urt of appeals like any other judgment of this cou- arily consent.	rt is available to conduct all dgment. The judgment may
	rred to a magistrate judge, or you may withhold y ty withholding consent will not be revealed to an	
	rity. The following parties consent to have a Un rial, the entry of final judgment, and all post-tri	
Parties' printed names	Signatures of parties or attorneys	Dates
	Reference Order	
order the entry of a final judgment in accordan	ed to a United States magistrate judge to conduct ce with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 7	
Date:	District Judge's signature	
	Printed name an	i title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.



## UNITED STATES MAGISTRATE JUDGES: REFERRALS AND CONSENTS

All cases in the Southern District of New York are assigned to two judges: a district judge and a magistrate judge. District judges are appointed for life terms by the President. Magistrate judges are selected by a majority vote of the district judges in the particular district and serve terms of eight years.

Referrals to the Magistrate Judge. The district judge assigned to your case may refer the case to a magistrate judge for specific purposes. Commonly, the referral will be for the magistrate judge to conduct the proceedings that occur before trial, such as resolving discovery disputes or presiding over settlement conferences. A referral may also be made for the magistrate judge to issue to the district judge a report and recommendation on how to resolve a motion, such as a motion to dismiss or a motion for summary judgment. The consent of the parties is not needed for the district judge to refer the case to the magistrate judge for these purposes. If the district judge has made such a referral, you can ask the district judge to review any magistrate judge's decision by filing an objection with the district judge within fourteen days of that decision. The district judge will rule on any timely objections that you file. If you do not file an objection, you will give up your right to challenge the magistrate judge's decision at a later time, including on appeal. See Rule 72 of the Federal Rules of Civil Procedure.

Consent to Proceed Before the Magistrate Judge. If you would like your case to move more quickly, it is helpful to consent to proceed before the magistrate judge for all purposes, including any trial. If you consent, the magistrate judge will perform the identical function that the district judge would have performed. Any trial in your case would be either a jury or a nonjury trial, depending upon whether there is a right to a jury trial and a proper request for such a trial. The only difference is that the magistrate judge - and not the district judge - would preside over that trial. Cases that proceed for all purposes before a magistrate judge generally move more quickly than cases before a district judge. If you consent to proceed before the magistrate judge, the district judge plays no further role in the case. Any appeal is taken directly to the Court of Appeals. It is your choice whether or not to consent to proceed before the magistrate judge, and all parties must consent or the case will not proceed before the magistrate judge.

A copy of the appropriate consent form is attached. Additional forms are also available from the Pro Se Intake Unit and on the Court's website.

> 500 Pearl Street | New York, NY 10007 300 QUARROPAS STREET | WHITE PLAINS, NY 10601

> > PRO SE INTAKE UNIT: 212-805-0175

Rev. 1/20/15